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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,453	03/12/2004	Mitsuhiro Matsumoto	040117	5283
45867	7590	02/10/2005	EXAMINER	
RAYMOND N. NIMROD 623 MILBURN EVANSTON, IL 60201			LUEBKE, RENEE S	
			ART UNIT	PAPER NUMBER
			2833	

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/798,453

Applicant(s)

MATSUMOTO ET AL.

Examiner

Renee S. Luebke

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 10-12, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 4, 6-9, 13-18, 21 and 22 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/12/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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1. The drawings are objected to because reference numeral 107 (see page 2, line 5) is not found therein. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The abstract of the disclosure is objected to because it is too long. Correction is required. See MPEP § 608.01(b).

3. The disclosure is objected to because of the following informalities:

- On line 10 (as marked) of page 1, "powers" should be singular.
- On line 16 of page 1, "are" should be -is-.
- The "Brief Summary of the Invention" on pages 3-8 is not brief and should not repeat the claims.
- On line 17 of page 11, "4" should apparently be -3-.
- The paragraph on lines 14-16 of page 20 is incomplete.
- On line 24 of page 20, it is suggested that applicant insert reference to to "the second embodiment" since the comments that follow do not pertain to the first embodiment discussed in the preceding sentence.

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- The arrangement of the sealing material 36, packing 35 and chamber 34 suggested on lines 6-8 of page 22 (and redundantly in the first paragraph of page 23) contradicts Fig. 12.

- Contrary to statements throughout the application, the shape of the cable shown in Figs. 11 and 14 is not an elliptical shape.

Appropriate corrections are required.

4. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any other errors of which applicant may become aware in the specification.

5. Claims 1-9, 20 and 21 are objected to because of the following informalities:

- Claim 1 lacks antecedent basis for "the retainer wall" on lines 4-5.
- Claim 7 appears to be missing text on line 2.
- Claim 20 lacks antecedent basis for "the electrical cable."

Appropriate correction is required.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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7. Claims 1-3, 5 and 10-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Furrow. This device comprises a terminal holder 8 that presses a terminal piece 20 against the housing 6 in the manner claimed. The housing comprises a retainer wall 86, and the holder comprises a base plate 40 and first and third bosses (see Fig. 5).

8. Claims 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Furrow in view of Ushijima, et al. The shape of the core in the connection of Furrow is unclear. However, Ushijima teaches the use of an "elliptical" core that is welded 9 in order to improve the connection. For this reason, it would have been obvious to use a welded, elliptical core as taught by Ushijima in the device of Furrow.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The connectors of Nimura and Konoya, et al. comprise holders that are similar in use and structure to the present invention. Scramoncin shows the use of an elliptical cable core.

10. Claims 4, 6-9 and 21 would be allowable if rewritten to overcome the objections set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 13-18 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Any response to this action may be mailed to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

or faxed to:
(703) 872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

12. Any inquiry concerning this communication from the examiner should be directed to Mrs. Renee Luebke whose telephone number is (571) 272-2009.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mrs. Paula Bradley, can be reached at (571) 272-2800, extension 33.

A handwritten signature in black ink, appearing to read 'RSL', is positioned above the printed name of the examiner.

Renee S. Luebke
Primary Patent Examiner
February 7, 2005